

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES

v.

ANTHONY BUCCI

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No. 04-cr-10194-RCL

**MOTION TO MODIFY TEMPORARILY
TERMS AND CONDITIONS OF RELEASE**

The defendant respectfully moves the Court to modify temporarily the terms and conditions of his release as follows:

By permitting him to attend the graduation of his daughter, Talena, from Andover High School on Monday, June 6, 2005 at the Tsongas Arena in Lowell, Massachusetts, and for that purpose, to be out of his house, in the presence of his third-party custodian, from 3:30 P.M. until 9:30 P.M. on that day.

On May 20, 2005, counsel for the defendant, in a voice-mail message to the attorney for the government, AUSA John McNeil, solicited the government's assent to the instant motion. On Tuesday, May 24, 2005, the attorney for the government told counsel for the defendant (absolutely incredibly!) that the government would not assent to the instant motion.

The defendant is not a suspected terrorist. He is a United States national. Although he is accused of a serious drug offense, he has complied faithfully and strictly with all the terms and conditions of his pretrial release on conditions. In light of the foregoing, the government's opposition to permitting him to attend his daughter's high school graduation is spiteful, petty, rigid, unyielding, dogmatic, fundamentalistic, and manifestly unreasonable and preposterous; and reflects the shameful institutional attitude

of the United States Attorney and his assistants in cases such as these in which they exhibit not the slightest shred of humanity, compassion, or decency.

Anthony Bucci
By his attorney,

/s/Michael F. Natola

May 24, 2005

MICHAEL F. NATOLA
BBO No. 367580
63 Atlantic Avenue
Boston, Massachusetts 02110
Tel. (617) 367-1199
Fax (617) 227-3384
E-mail MFNatola@aol.com

CERTIFICATE OF SERVICE

I, Michael F. Natola, attorney for the defendant herein, hereby certify that a true copy of the foregoing motion was served the above date upon the following persons electronically:

John T. McNeil, Esquire
Assistant United States Attorney
One Courthouse Way, Suite 9200
Boston, MA 02210

Mr. David Picozzi
Pretrial Services Office
One Courthouse Way
Boston, MA 02210

/s/Michael F. Natola

MICHAEL F. NATOLA